S.B.Civil Misc. Transfer Petition No.28/2007

Yukti Karan.

vs.

Narpat Singh and others.

Date : 23.5.2007

HON'BLE MR. PRAKASH TATIA, J.

Mr.Yukti Karan, petitioner present in person.
Mr.Sabir Khan for Mr.P Shah, for the respondent.

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Heard petitioner present in person and who argued the case himself and learned counsel for the respondent.

On petitioner's transfer petition, the respondent's suit was transferred from the Court of Additional District Judge, Barmer to the Court of District Judge, Balotra. Now the petitioner has submitted this transfer petition for transferring the said suit to any other Court other than the Court of District Judge, Balotra.

The petitioner submitted that in the trial court, he is conducting his case himself and he had no

assistance of advocate. According to the petitioner, before the case actually reached to the Court of District Judge, Balotra in pursuance to the order of this Court in petitioner's transfer petition, the respondent told him that the District Judge is very well known to him and he is good friend of a police officer and he will definitely get the suit decided in his favour. According to the petitioner, he submitted an application narrating all these facts to the concerned court on 24.3.2007. According to the petitioner, on 16.3.2007, the Judge made some observations, according to which, the petitioner drew inference that the Judge is influenced by the respondent/plaintiff. The petitioner also submitted that he sought amendment in the issues and also requested for rejecting the Vasiyatnama (Will) which according to the petitioner had some blank spaces and was not containing the signatures of Nathu Ramji. It is submitted that the petitioner's application for amendment of issue was rejected by the trial court and he proposes to challenge that order of the trial court.

The present transfer petition has been filed through his advocate but he himself has argued it.

After going through the facts mentioned in the transfer petition and after hearing the petitioner,

this Court is of the view that the petitioner may have drawn some inferences from the court proceedings of which he is not well acquaint and the allegations levelled are absolutely bald allegations and, therefore, I do not find any reason to transfer the suit.

Consequently, this transfer petition, having no merits, is hereby dismissed.

(PRAKASH TATIA), J.

S.Phophaliya